

EXHIBIT “I”

Lex Smith

From: "Limongelli, Victor" <victor.limongelli@guidancesoftware.com>
To: "Timothy J. Hogan" <tjh@loio.com>; "Lex Smith" <lex@gte.net>
Cc: "Eric Liebeler" <eliebeler@kirkland.com>; "Damian Capozzola" <dcapozzola@kirkland.com>; "Lyle Hosoda" <lsh@hosodalaw.com>; "Lyle Hosoda" <lshosoda@hotmail.com>; "Rex Y. Fujichaku" <rfujichaku@bchlaw.net>; "Rex Fujichaku" <fujichaku@hotmail.com>; <cmatsui@triallawhawaii.com>; "K Akamine" <kakamine@triallawhawaii.com>
Sent: Wednesday, July 13, 2005 9:49 AM
Subject: RE: Guidance Images

Gentlemen,

We expect to have completed the exporting of the files requested from the "Before" images by the end of this week or, at the latest, the early part of next week. Given the privilege issues between the PCT and the plaintiff, we will send the exported files to (1) Lex Smith, (2) Damian Capozzola, and (3) the Discovery Master. We will copy all counsel of record on the cover letter, but not the attached files.

Please let me know if you have any questions.

Regards,
Victor Limongelli

-----Original Message-----

From: Timothy J. Hogan [mailto:tjh@loio.com]
Sent: Wednesday, July 13, 2005 12:07 PM
To: Lex Smith
Cc: Eric Liebeler; Damian Capozzola; Lyle Hosoda; Lyle Hosoda; Rex Y. Fujichaku; Rex Fujichaku; Limongelli, Victor;
cmatsui@triallawhawaii.com; K Akamine
Subject: Guidance Images

Dear Mr. Smith:

Please advise me when we will receive the Guidance After Image files sans the materials you referred to in yesterday's correspondence. All you need do is extract the files to a drive, move the files you claim are privileged to another folder and copy the remaining files to a DVD. You can provide us with a list of the extracted files from a screen print of the extracted file folder. That list can serve as the first step in your obligation to provide a privilege log.

Also, when you have given us an indication of the nature of the materials that you object to producing we will immediately revise our request related to the Before images but need to move forward on this as the Court has set a short time frame for parties to prepare for the final round of motions. I recommend that the tape backup of the database be produced immediately so no more time is wasted. Surely you can't claim that is privileged. I can extract the data related to the number

of containers that Fleming ran through the system and the data related to the profit that was obviously not shared with your expert and be prepared to meet any claim that the 600 containers a week is not a reasonable estimate of the number and that the system made significant profit for Fleming.

Tim Hogan

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2/17/2006